

NANTUCKET, SS.

1975CV00022

V.

COMPLAINT AND JURY TRIAL DEMAND

5. Late in the evening of July 7, 2016 or early in the morning of July 8, 2016, the Plaintiff was introduced to Defendant Kevin Spacey Fowler in or near the bar area of the Club Car Restaurant. The Plaintiff and Defendant Kevin Spacey Fowler spent some time together in conversation in or near the bar area of the Club Car Restaurant.

6. While Defendant Kevin Spacey Fowler and the Plaintiff were together in or near the bar area of the Club Car Restaurant, Defendant Kevin Spacey Fowler bought the Plaintiff multiple alcoholic beverages for the Plaintiff to drink, which the Plaintiff consumed. The Plaintiff felt the effects of the alcohol.

7. Early in the morning of July 8, 2016, Defendant Kevin Spacey Fowler, without the Plaintiff's consent, sexually assaulted the Plaintiff by, among other things, Defendant Kevin Spacey Fowler touching and fondling the Plaintiff's private areas, including the Plaintiff's genitals.

8. Defendant Kevin Spacey Fowler's explicit sexual behavior and lewd and lascivious conduct with the Plaintiff took place in the Club Car Restaurant.

9. As a result of Defendant Kevin Spacey Fowler's explicit sexual behavior and lewd and lascivious conduct with the Plaintiff, the Plaintiff suffers, has suffered, and will continue to suffer in the future severe mental distress and emotional injuries.

10. At all relevant and material times, Defendant Kevin Spacey Fowler misrepresented and concealed from the Plaintiff the wrongful nature of Defendant Kevin Spacey Fowler's explicit sexual behavior and lewd and lascivious conduct with the Plaintiff and that such explicit sexual behavior and lewd and lascivious conduct could harm the Plaintiff.

11. As a result of Defendant Kevin Spacey Fowler's explicit sexual behavior and lewd and lascivious conduct with the Plaintiff, the Plaintiff is unable at this time to fully disclose in complete detail to what degree Defendant Kevin Spacey Fowler did abuse the Plaintiff emotionally and physically.

C. CLAIMS FOR RELIEF

**Count I: Plaintiff v. Defendant Kevin Spacey Fowler
Assault**

12. The Plaintiff repeats, realleges, and incorporates by reference herein each and every allegation heretofore pleaded in this Complaint.

13. By engaging in the explicit sexual behavior and lewd and lascivious conduct described above, Defendant Kevin Spacey Fowler acted intentionally so as to cause harmful and offensive contact with the Plaintiff.

14. By engaging in the explicit sexual behavior and lewd and lascivious conduct described above, Defendant Kevin Spacey Fowler placed the Plaintiff in imminent and reasonable apprehension of said harmful and offensive contact.

15. As a direct and proximate result of Defendant Kevin Spacey Fowler placing the Plaintiff in imminent and reasonable apprehension of harmful and offensive contact, the Plaintiff suffered and will continue to suffer in the future: severe and permanent mental distress and emotional injuries as outlined above; financial expenses for medical and therapeutic care and treatment; long term lost earning capacity; as well as other damages.

**Count II: Plaintiff v. Defendant Kevin Spacey Fowler
Battery**

16. The Plaintiff repeats, realleges, and incorporates by reference herein each and every allegation heretofore pleaded in this Complaint.

17. By engaging in the explicit sexual behavior and lewd and lascivious conduct described above, Defendant Kevin Spacey Fowler acted intentionally so as to cause unjustified harmful and offensive physical contact and touching of the Plaintiff, and repeatedly performed such unjustified harmful and offensive physical contact and touching of the Plaintiff.

18. As a direct and proximate result of Defendant Kevin Spacey Fowler's unconsented, unjustified harmful and offensive physical contact and touching, the Plaintiff suffered and will continue to suffer in the future: severe and permanent mental distress and emotional injuries as outlined above; financial expenses for medical and therapeutic care and treatment; long term lost earning capacity; as well as other damages.

Count III: Plaintiff v. Defendant Kevin Spacey Fowler
Intentional Infliction of Emotional Distress

19. The Plaintiff repeats, realleges, and incorporates by reference herein each and every allegation heretofore pleaded in this Complaint.

20. By engaging in the explicit sexual behavior and lewd and lascivious conduct described above, Defendant Kevin Spacey Fowler intended to inflict emotional distress upon the Plaintiff, or Defendant Kevin Spacey Fowler knew or should have known that emotional distress was the likely result of Defendant Kevin Spacey Fowler's conduct.

21. The conduct of Defendant Kevin Spacey Fowler in engaging in the explicit sexual behavior and lewd and lascivious conduct described above is extreme and outrageous, beyond all possible bounds of decency, and utterly intolerable in a civilized community.

22. The mental distress and emotional injuries which the Plaintiff suffered and will continue to suffer were severe, and of a nature that no reasonable person could be expected to endure them.

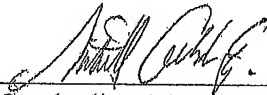
23. As a direct and proximate result of the conduct of Defendant Kevin Spacey Fowler in engaging in the explicit sexual behavior and lewd and lascivious conduct described above, the Plaintiff suffered and will continue to suffer in the future: severe and permanent mental distress and emotional injuries as outlined above; financial expenses for medical and therapeutic care and treatment; long term lost earning capacity; as well as other damages.

WHEREFORE, the Plaintiff respectfully demands judgment against Defendant Kevin Spacey Fowler for each claim the Plaintiff states against Defendant Kevin Spacey Fowler, in an amount to be determined by a jury, plus costs, interest, attorneys' fees, and such other and further relief as this Court deems just and equitable.

JURY TRIAL DEMANDED

PLAINTIFF DEMANDS A TRIAL BY JURY ON ALL CLAIMS.

By Plaintiff's Attorney,



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